

US DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

UNITED STATES DISTRICT COURT

for the

Western District of Arkansas

APR 24 2015

CHRIS R. JOHNSON, Clerk
By

Deputy Clerk

United States of America
v.
GREGORY SCOTT LESMEISTER

Case No.

3:15M3003-001

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 07/01/2014 in the county of Boone in the Western District of
Arkansas, the defendant violated Title 18 U. S. C. § 2261A(2)(B) & 875(c)

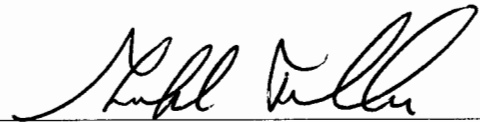
, an offense described as follows:

-Stalking, 18 U.S.C. 2261A(2)(B): On or about between July 1, 2014 and September 29, 2014, in the Western District of Arkansas, and elsewhere, the defendant, with the intent to injure, harass, and cause substantial emotional distress to an individual living in another state, used facilities of interstate or foreign commerce to engage in a course of conduct that caused substantial emotional distress to that person and placed that person in reasonable fear of death or serious bodily injury.

-Interstate Communications, 18 U.S.C. 875(c): On or about ^{between} July 1, 2014 and September 29, 2014, in the Western District of Arkansas, and elsewhere, the defendant knowingly and willfully did transmit in interstate and foreign commerce a communication to another person containing a threat to injure that person.

This criminal complaint is based on these facts:

See attached affidavit.


☒ Continued on the attached sheet.

Complainant's signature

S.A. Gerald Faulkner

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/24/2015

Judge's signature

City and state: Fort Smith, Arkansas

Hon. Mark E. Ford, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Gerald F. Faulkner, am a Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI), being duly sworn, state the following is true and correct based upon my personal knowledge, investigation, and belief:

1. I am a Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI), currently assigned to the Resident Agent in Charge Office in Fayetteville, Arkansas. I have been so employed with HSI since April 2009.
2. Based on the facts set forth in this affidavit, **your affiant believes there is probable cause to support that violations of 18 U.S.C., Section 2261A(2)(B), Stalking, were committed by GREGORY SCOTT LESMEISTER.** That statute provides, in pertinent part, that it is a federal crime for any person:

with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, use the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that places that person in reasonable fear of the death of or serious bodily injury to a person or cause, attempt to cause, or would be reasonably expected to cause substantial emotional distress to a person.

3. Based on the facts set forth in this affidavit, **your affiant believes there is probable cause to support that violations of 18 U.S.C., Section 875(c) Interstate Communications, were committed by GREGORY SCOTT LESMEISTER.** That statute provides, in pertinent part, that it is a federal crime for “whoever transmits in interstate any communication containing any threat to kidnap any person or any threat to injure the person of another.” 18 U.S.C., Section 875(c).

Probable Cause

4. In April 2015, your Affiant was requested by the Harrison Police Department located in Harrison, Arkansas to assist in an ongoing Interstate Stalking and Interstate Communications investigation. The investigation by the Harrison Police Department had identified an individual by the name of Gregory Scott LESMEISTER who had been utilizing social media websites via the internet to locate teenage females around the United States and then send them videos of himself self-masturbating while stating sexually explicit and violent messages to the teenage females.
5. On April 8, 2015, your Affiant received and reviewed numerous police reports and digital evidence from law enforcement departments around the United States in relation to the actions being taken by LESMEISTER. A complete review of the evidence revealed the following timeline of events:
6. On July 1, 2014, a complainant residing in Unadilla, New York reported to the New York State Police that earlier that day her fifteen (15) year old daughter had begun receiving inappropriate "Face Time" videos from an unknown male. The videos were of an adult white male described to be in his early thirties completely naked from the waist down with his penis exposed and self-masturbating. The unknown male identified the victim by name on the videos and made statements such as "(victim) I want your pussy" and "I'm going to kill you and have sex with you". The victim then informed the unknown male that he better stop contacting her or she was going to call law enforcement. The unknown male then texted the victim acting confused and stating that he didn't do it and she had the wrong number.

7. The initial contact to the fifteen (15) year old victim via the “Face Time” phone call was associated to the email address christy.messina@yahoo.com. Additional unwanted sexual and vulgar text messages continued to the victim after the initial contact from the unknown male associated to the email addresses:

samantha51@yahoo.com
abbymarie51@gmail.com
tiffanyrossi83@yahoo.com
scottieboo50@gmail.com

8. The victim further informed the New York State Police that she had heard of multiple other teenage girls in the area who had received the same type of “creepy Face Time” phone calls and messages from an unknown white male fitting the same physical descriptions. At the time the report was taken, the victim knew of only one other teenage girl that had reported the incident to law enforcement.
9. The complainant was also able to provide the New York State Police with a saved screen shot image of the unknown male’s face from one of the videos that was sent to her daughter. A digital copy of the same video in its entirety was also preserved on the victim’s phone and turned over to the New York State Police.
10. On September 24, 2014, a complainant residing in Staunton, Virginia reported to the Staunton Police Department that her fifteen (15) year old daughter had been receiving inappropriate “Face Time” videos from an unknown male. The videos were of an adult white male described to be in his early thirties completely naked from the waist down with his penis exposed and self-masturbating. The unknown male identified the victim by name on the videos and made statements such as “eat my fucking asshole bitch” and “swallow daddy’s cum whore”. The complainant informed the Staunton Police

Department that the videos to her daughter began on or about June 01, 2014 with the last being sent on or about September 22, 2014.

11. The fifteen (15) year old victim supplied the Staunton Police Department with the following email addresses associated to the sexual and vulgar videos being sent via “Face Time” by the unknown male:

bettysue5256@gmail.com
christy.messina@yahoo.com
abbymarie51@gmail.com
ssamantha51@yahoo.com
scottieboo50@gmail.com

12. The complainant was also able to provide the Staunton Police Department with a saved screen shot image of the unknown male’s face from one of the videos that was sent to her daughter. A digital copy of the same video in its entirety was also preserved on the victim’s phone and turned over to the Staunton Police Department.

13. On September 29, 2014, a complainant residing in Norwich, New York reported to the City of Norwich Police Department that for the last month her thirteen (13) year old daughter had been receiving inappropriate “Face Time” videos from an unknown male. The videos were of an adult white male described to be in his early thirties completely naked from the waist down with his penis exposed and self-masturbating. The victim stated that she attempted to block the unknown male on numerous accounts but he would then create new accounts and then “Face Time” phone call the victim again with the same sexual and vulgar videos and messages.

14. The victim further informed the Norwich Police Department that she has received over fifty (50) “Face Time” videos and messages from the unknown male and was able to save a screen shot of the individual’s face from one of the unwanted videos that he had called

her on. All of the messages from the unknown male were associated to the email addresses:

christy.messin@yahoo.com
scottieboo50@gmail.com
abbymarie51@gmail.com

15. On November 5, 2014, the Staunton Police Department received returned subpoenaed information from Google Legal Investigations Support in reference to the email address **scottieboo50@gmail.com**. The documents revealed the account was created on May 18, 2012 with the user name Scottie Merriweather and the associated IP addresses:

69.151.118.52
68.171.94.31
68.171.87.242
24.248.219.209
98.175.206.179
166.137.123.211

16. On December 11, 2014, the Staunton Police Department received returned subpoenaed information from Cox Communications Compliance Office in reference to the IP address **98.175.206.179**. The documents revealed the IP address was associated to the business “And Ribs Kirbys Catfish” located at 302 North Main Street in Harrison, Arkansas 72601.

17. In December 2014, the Harrison Police Department received a phone call from the Staunton Police Department requesting assistance in attempting to identify the unknown male sending the sexual and vulgar “Face Time” videos and messages. Detectives with the Harrison Police Department then conducted an internet search through the social media network Facebook and were able to locate comments posted by the email address **scottieboo50@yahoo.com** about Kirby’s Catfish and Ribs Restaurant located inside of

the Hotel Seville in Harrison, Arkansas. It was later learned that Kirby's Catfish and Ribs Restaurant had closed down but contact was made with a manager of the Hotel Seville. One of the censored versions of the screen shots taken by the victims of the unknown male was provided to the manager in attempts to make an identity. The manager immediately made a positive identification as knowing the unknown male in the saved screen shot as being Gregory LESMEISTER, a past employee of Kirby's Catfish and Ribs Restaurant.

18. The Harrison Police Department then obtained a copy of an Arkansas Drivers License bearing the last four digits 4883 of Gregory Scott LESMEISTER with a date of birth in 1982 and confirmed it to be one in the same individual depicted in the saved screen shots from the victims.

19. On April 14, 2015, you Affiant viewed two of the saved videos by the teenage victims residing in Staunton, Virginia and Unadilla, New York sent by LESMEISTER and described the videos as follows:

Video Provided by New York State Police

Video Length: 1:22

Video Description:

Video of LESMEISTER completely naked with his penis exposed to the camera self-masturbating. During the video, while self-masturbating, LESMEISTER is heard making the following comments to the victim:

"Want you to lick my balls baby"

"Get those fucking panties off bitch"

"Finger my asshole while you suck my cock"

"Do you hear me whore"

"I wanna eat your asshole"

"Stick my tongue way up your butt crack"

"Wanna swallow my cum bitch"

"Swallow all of daddys nut"

Video Provided by Staunton Police Department

Video Length: 1:30

Video Description:

Video of LESMEISTER completely naked from the waist down with his penis exposed to the camera self-masturbating. During the video, while self-masturbating, LESMEISTER is heard making the following comments to the victim:

"Hey (victim by name) long overdue"

"Oh yeah bitch"

"Lick daddys fucking butthole"

"Suck my fucking balls bitch"

"(Victim by name) I'm gonna rip your fucking panties off"

"I'm gonna butt fuck that asshole"

"Gonna be a tight little butthole for daddy"

"I'm gonna take a hit of this fucking meth"

"You stupid fucking bitch"

20. The apparent violations of Title 18, United States Code, Section 2261A(2)(B) and 875(c) occurred when Gregory LESMEISTER, with the intent to transmit in interstate any communication by utilizing the internet via the telephony application Face Time to engage in a course of conduct that places a person in reasonable fear of death of, or serious bodily injury.

I hereby swear that the information contained in the affidavit is true and correct to the best of my knowledge.



GERALD F. FAULKNER, SPECIAL AGENT
HOMELAND SECURITY INVESTIGATIONS

AFFIDAVIT subscribed and sworn to before me this 24 day of April, 2015.



HONORABLE MARK E. FORD
UNITED STATES MAGISTRATE JUDGE